

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

STRATASYS INC.,)	Civil No. 0:13-cv-03228 DWF-JJG
)	
Plaintiff,)	
)	
v.)	PLAINTIFF’S MOTION TO
)	DISMISS DEFENDANT’S
MICROBOARDS TECHNOLOGY, LLC d/b/a)	COUNTERCLAIMS OF
AFINIA,)	INEQUITABLE CONDUCT AND
)	STRIKE AFFIRMATIVE
Defendant.)	DEFENSES OF PATENT MISUSE

Plaintiff Stratasys Inc. (“Stratasys”) hereby moves the Court pursuant to Federal Rules of Civil Procedure 12(b)(6) to dismiss Defendant Microboards Technology, LLC d/b/a Afinia’s (“Afinia”) counterclaims of inequitable conduct. The counterclaims are styled as Counts IX and X of Afinia’s Amended Answer and Counterclaims, Dkt. No. 20.

Stratasys also moves under Rule 12(f) of the Federal Rules of Civil Procedure to strike Afinia’s four affirmative defenses of patent misuse. The affirmative defenses are styled as affirmative defenses eight, nine, ten, and eleven of Afinia’s Amended Answer and Counterclaims, Dkt. No. 20.

Stratasys’s Motion is based upon the Notice of Motion and Motion, the Brief in Support of Stratasys’s Motion, and the record and proceedings herein.

Dated: February 21, 2014

FAEGRE BAKER DANIELS LLP

s/ Kenneth A. Liebman

Kenneth A. Liebman (MN 236731)

Timothy E. Grimsrud (MN 034283X)

Lauren M.W. Steinhäuser (MN 0392477)

FAEGRE BAKER DANIELS LLP

2200 Wells Fargo Center

90 South Seventh Street

Minneapolis, MN 55402

Telephone: (612) 766-7000

Fax: (612) 766-1600

Attorneys for Plaintiff Stratasys Inc.